

KETTNER LAW, A PROFESSIONAL LAW CORPORATION

2150 W. Washington Street Suite 402, San Diego, CA 92110 | ph. (619) 756-7378 fax 888-809-4658

July 18, 2018

Complaint of Discrimination and Request for Right to Sue

SENT TO:

EEOC, Las Vegas Local Dept.

Via Facsimile: 702-388-5094

Via Email: PARSONNA.RUSSELL@EEOC.GOV

RE: Our Client/Charging Party: Ciara Williams
Date of Last Incident: 04/14/2018
Inquiry No. 550-2018-01454
Employed by: TopGolf USA Las Vegas, LLC

Dear Representative,

Please be advised the undersigned now represents the interests of the above referenced individual regarding her Employment Harassment claim against TopGolf USA Las Vegas, LLC. At this time we are requesting a formal Right to Sue Letter from your department. Please send all future correspondence regarding my client's claim to my office. Please do not hesitate to contact me if you have any questions.

CHARGING PARTY INFORMATION:

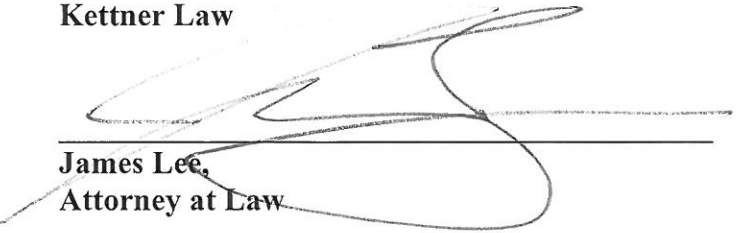
Ciara Williams, by and through her attorneys, wants to file a charge against her employer TopGolf USA Las Vegas, LLC for experiencing sexual harassment and discriminatory treatment at the workplace because of her sex.

Over an extended period of time, Ms. Williams was treated as an inferior employee for being female, and was the victim of pervasive, ongoing sexual harassment in the form of sexual comments, innuendos, physical invasion of private areas, and demands for sexual favors by higher ranking members of management at TopGolf.

Charging Party Address: 6103 Daisy Petal St., Las Vegas, NV 89130

Charging Party Phone: (928) 606-4112

Sincerely,
Kettner Law


James Lee,
Attorney at Law



URGENT: Pending Portal Submission

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHARGE OF DISCRIMINATION

For Official Use Only – Charge Number:

EEOC Form 5A (October 2017)

Personal Information	First Name: <u>Ciara</u> MI: _____ Last Name: <u>Williams</u> Address: <u>6103 Daisy Petal St.</u> Apt.: <u>101</u> City: <u>Las Vegas</u> County: <u>Clark</u> State: <u>NV</u> Zip Code: <u>89130</u> Phone: _____ Home <input type="checkbox"/> Work <input type="checkbox"/> Cell <input type="checkbox"/> Email: <u>Ciaraw97@gmail.com</u>
Who do you think discriminated against you?	Employer <input type="checkbox"/> Union <input type="checkbox"/> Employment Agency <input type="checkbox"/> Other Organization <input type="checkbox"/> Organization Name: <u>TopGolf USA Las Vegas, LLC</u> Address: <u>8750 N Cent Expy St.</u> Suite: <u>1200</u> City: <u>Las Vegas</u> State: <u>NV</u> Zip Code: <u>89130</u> Phone: _____
Why you think you were discriminated against?	Race <input type="checkbox"/> Color <input type="checkbox"/> Religion <input type="checkbox"/> Sex <input type="checkbox"/> National Origin <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Genetic Information <input type="checkbox"/> Retaliation <input type="checkbox"/> Other <input type="checkbox"/> (specify)
What happened to you that you think was discriminatory?	Date of most recent job action you think was discriminatory: <u>April 14, 2018</u> Also describe briefly each job action you think was discriminatory and when it happened (estimate). April 14th, 2018: Ms. Williams constructively discharged when Mr. Hinojosa was promoted, after sexually assaulting her, to become her supervisor. He continued to sexually harass her despite Ms. Williams objections. February, 2018: Mr. Hinojosa followed Ms. Williams to an isolated location and forced his hands down her pants, and digitally penetrated her. She reported this incident to Human Resources. Instead of contacting police, Human Resources gave Hinojosa a "warning" and assured Ms. Williams that the matter had been resolved and that he would have no further contact with him.
Signature and Verification	I understand this charge will be filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address, phone, or email. I will cooperate fully with them in the processing of my charge in accordance with their procedures. I understand by signing below that I am filing a charge of employment discrimination with the EEOC. I understand that the EEOC is required by law to give a copy of the charge, which includes my allegations and my name, to the organization named above. I also understand that the EEOC can only investigate charges of job discrimination based on race, color, religion, sex, national origin, age, disability, genetic information, or based on retaliation for filing a charge of job discrimination, participating in an investigation of a job discrimination complaint, or opposing job discrimination. I declare under penalty of perjury that the above is true and correct. Signature: <u>Ciara Williams</u> Date: <u>7/12/2018</u>



U.S. Equal Employment Opportunity Commission Public Portal

Welcome

Ciara
Williams

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Inquiry Submitted

Your inquiry has been successfully submitted to EEOC. You should v
inquiry number **550-2018-01454** and refer to it when contacting

Online Scheduling

You are now ready to schedule an interview with an EEOC representative, and will
the appropriate office when you click "Schedule an Interview" below. You must sched
in order to complete the inquiry process and be interviewed by EEOC staff. If you c
take any action on your inquiry. Based on the information you provided, you can
office(s):

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For website technical support(only), please contact digitalsupport@eeoc.gov or 1-800-569-7118

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

- 1. FORM NUMBER/TITLE/DATE.** EEOC Form 5A, Charge of Discrimination, Issued October 2017.
- 2. AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
- 3. PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
- 4. ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
- 5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging party and respondent and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of rights under the Act.



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